

CHAPTER NO. 645

HOUSE BILL NO. 1444

By Representatives Buck, Towns

Substituted for: Senate Bill No. 1726

By Senator Burchett

AN ACT to amend Tennessee Code Annotated, Title 38, Chapter 6 and Title 40, relative to criminal procedure.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-15-105, is amended by inserting the following between the third and fourth sentences of subsection (e):

Provided, however the court shall not be required to send to the bureau a copy of any dismissal order dated on or after July 1, 1999 if the charge dismissed is classified as a Class B or C misdemeanor.

SECTION 2. Tennessee Code Annotated, Section 40-35-313, is amended by inserting the following between the first and second sentences of subsection (c)(1):

Provided, however the court shall not be required to send to the bureau a copy of any dismissal and expungement order dated on or after July 1, 1999 if the charge dismissed is classified as a Class B or C misdemeanor.

SECTION 3. Tennessee Code Annotated, Section 40-32-101, is amended by inserting the following between the first and second sentences of subsection (d)(1):

Provided, however the court shall not be required to send to the bureau a copy of any expungement order dated on or after July 1, 1999 if the charge dismissed is classified as a Class B or C misdemeanor.

SECTION 4. Tennessee Code Annotated, Section 38-6-118 is amended by inserting the following at the end of the second paragraph of subsection (a):

Provided, however the bureau shall not be required to enter or maintain information in its database concerning any dismissal or expungement order dated on or after July 1, 1999 if the charge dismissed or expunged is classified as a Class B or C misdemeanor.

SECTION 5. Tennessee Code Annotated, Section 40-32-101(d)(2), is amended by adding the following language after the first sentence of the subdivision:

Such fifty dollar (\$50.00) fee shall not apply to cases where there has been an acquittal, nolle prosequi, or dismissal for failure to prosecute or where the law does not require a copy of the expungement order be sent to the Tennessee Bureau of Investigation.


SECTION 6. This act shall take effect July 1, 1999, the public welfare requiring it.

PASSED: March 30, 2000


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 10th day of April 2000


DON CONQUIST, GOVERNOR